

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 13, 14, 17-22, 35-39, 64 and 67-80 are pending in the application, with claims 1, 64, and 67 being the independent claims. Claims 1, 64, and 67 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Telephone Interview of October 12, 2011***

Applicants would like to thank the Examiner for the telephone interview held on October 12, 2011 between Examiner Patrice L. Winder, inventor George Winfield Treese, and Applicants' Representatives Michael B. Ray (Reg. No. 33,997) and Salvador M. Bezos (Reg. No. 60,889).

During the interview, the parties discussed the rejection under 35 U.S.C. § 103(a) in the context of the Ferguson and Bieber references. While no agreement was reached, the Examiner indicated that the positions advanced during the interview would likely overcome the art of record, but further search would be required.

The Examiner indicated that a detailed reply clarifying the positions being advanced would be helpful in advancing prosecution and addressing certain claim terms. Applicants seek herein to clarify certain terms in light of the Specification. The Examiner is asked to contact the undersigned should any further clarification be necessary in order to promptly advance this application to allowance.

***Rejections under 35 U.S.C. § 103***

The Examiner has rejected claims 1, 13, 14, 17-22, 35-39, 64 and 67-80 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,819,092 to Ferguson et al. (“Ferguson”) in view of “Backtracking in Multiple-Window Hypertext Environment” to Michael Bieber et al. (“Bieber”). Applicants respectfully traverse.

Claim 1 as amended recites, *inter alia*, “producing, by a computing device, an access history profile by filtering one or more transaction logs originating from one or more servers to select transactions associated with a session identifier that identifies a series of related requests made by a client to the one or more servers.” Support for this claim language is found in the as-filed Specification at, *inter alia*, p. 5, ll. 5-11 (exemplary operation of SIDs), p. 5, ll. 20-23 (exemplary SID contains UID), and p. 14, line 16–p. 15, line 6 (transaction log filtering).

**i. Session Identifiers**

By way of non-limiting example, the Specification recites that “[o]ne aspect of the invention involves forwarding a service request from the client to the server and appending a session identification (SID) to the request and to subsequent service requests from the client to the server within a session of requests.” (Specification, p. 5, ll. 5-8).

The amendment to claim 1 tracks this description closely. A set of transactions in a log is selected based on their association with an SID that “identifies a series of related requests made by a client to the one or more servers.” This results in obtaining transactions from the transaction logs that are part of a same session.

In order to fully understand this terminology, and to give any claim interpretation its broadest *reasonable* interpretation *in light of the specification*, it is also important to

consider what behavior is part of a session. Claim 1 expressly recites a session identifier that “identifies a series of related requests made by a client to the one or more servers.” An example of such a session is shown in Specification FIG. 3 (described as “an example of a client-server exchange session” at Specification, p. 8, line 9).

Other forms of identifiers by themselves do not function the same way and lack the capability of a “session identifier that identifies a series of related requests made by a client to the one or more servers.” This claimed feature distinguishes the art cited by the Examiner, which fails to teach, or even suggest, a session identifier as recited in claim 1.

**ii. Understanding the Access History Profile**

Claim 1 additionally recites the construction of an “access history profile by filtering one or more transaction logs originating from one or more servers to select transactions associated with a session identifier”. The concept of the session identifier of claim 1 is discussed above. When a client requests content from a server, by way of example, the server logs the request. (Specification, p. 14, ll. 3-5). Accordingly, these transaction logs originate from the “one or more servers” that are the same servers with which the client is engaged in a session.

The data that may be logged with such a request can vary, with examples including the client IP address, user identifier (UID), etc., all of which form the SID in an exemplary embodiment — therefore, logging the SID is one implementation contemplated by the disclosure. (Specification, p. 13, ll. 24-26).

With this information available in the transaction logs, it is possible to filter the transaction logs to obtain only those transactions “associated with a session identifier”. (Specification, p. 14, line 16–p. 15, line 6). With those transactions filtered out, it is then

possible to determine link traversal information, as recited subsequently in the claim, for the purpose of determining an amount to charge a merchant.

**iii. Deficiencies of Ferguson and Bieber**

Ferguson and Bieber fail to teach or suggest the aforementioned features of claim

1. At a minimum, the combination of Ferguson and Bieber fails to teach or suggest, “producing, by a computing device, an access history profile by filtering one or more transaction logs originating from one or more servers to select transactions associated with a session identifier that identifies a series of related requests made by a client to the one or more servers” as recited in claim 1.

Ferguson describes the use of a “Metering Tool” that allows metering of properties such as “number of users who access the entity, number of minutes that they use the entity, total number of times that the entity was accessed” and so on. (Ferguson, 37:61-38:4). Ferguson separately describes the use of a “user identifier number of the user associated with the action that triggered the Fee Specifier”. (Ferguson, 35:46-58).

Even assuming, *arguendo*, that the user identifier of Ferguson is analogous to the session identifier of claim 1, Ferguson nowhere teaches or suggests the ability to filter transaction logs to select transactions associated with that user identifier. Therefore, even if the missing teaching of a “session identifier” were provided by Bieber (to which Applicants do not acquiesce), the claimed function of “filtering one or more transaction logs originating from one or more servers to select transactions associated with a session identifier” is not found in Ferguson.

Moreover, the Examiner acknowledges that the Ferguson user identifier is not a session identifier, and instead relies on Bieber for this purpose. (Office Action, p. 3).

However, Bieber fails to remedy either Ferguson's lack of a teaching or suggestion of "filtering one or more transaction logs originating from one or more servers to select transactions associated with a session identifier" or the lack of a teaching or suggestion of the session identifier itself, where such session identifier, as recited in claim 1, "identifies a series of related requests made by a client to the one or more servers".

Bieber provides the use of system traversal logs that allow backtracking between various documents. Bieber provides an example of this operation starting at the bottom of p. 158 with reference to Figure 1, involving opening a document in a first window, traversing a link from that document to a second document in a second window, and so forth. However, the second document (Document B) is used to open two separate documents (Document C and Document D). Bieber resolves the question of how to backtrack from Document D, for example, through the other documents using a particular path.

In order to maintain a history of how the various documents and windows were opened, Bieber provides the ability to log the document traversals in a history log, a chronological log, and in subtask logs. These are used in Bieber's single-user environment for the purpose, described above, of backtracking through documents.

There is no mechanism by which to filter any of these logs to "select transactions associated with" either a user identifier or a session identifier. There is only one user in Bieber. Nor does Bieber provide any teaching or suggestion of a session identifier as recited in claim 1.

As clarified by the amendment, the claim recites "a session identifier that identifies a series of related requests made by a client to the one or more servers." There is no client in Bieber that makes a request to any sort of server. Moreover, there is no

“session identifier that identifies a series of related requests” – none of the events in the history/chronological/subtask logs are associated with any form of “session identifier”.

iv. **Conclusion**

For at least the aforementioned reasons, claim 1 is not rendered obvious by the combination of Ferguson and Bieber. Claims 64 and 67 have been similarly rejected, and are likewise not rendered obvious by the combination of Ferguson and Bieber for at least the same reasons as claim 1, and further in view of their own respective features. The various dependent claims each depend from one of claim 1 or 67, and are also not rendered obvious by the combination of Ferguson and Bieber for at least the same reasons as those claims, and further in view of their own respective features.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 1, 13, 14, 17-22, 35-39, 64 and 67-80 under 35 U.S.C. § 103(a).

Reply to Office Action of July 22, 2011


LEVERGOOD *et al.*  
Appl. No. 09/548,235

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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